

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
Southern Division**

UNITED STATES OF AMERICA,)

Plaintiff,

v.

PRADEEP SRIVASTAVA,

Defendant

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Criminal No. RWT 05-0482

ORDER

Upon consideration of the Plaintiff's Motion for An Evidentiary Hearing Pursuant to Franks v. Delaware and to Suppress Evidence [Paper no. 13], the opposition thereto, the arguments presented by counsel at hearings before the undersigned on March 27, 2006, and June 19, 2006, for the reasons stated on the record on March 27, 2006, and for the reasons stated in the accompanying opinion, it is this 4th day of August, 2006, by the United States District Court for the District of Maryland,

ORDERED, that Plaintiff's Motion for an Evidentiary Hearing Pursuant to Franks v. Delaware and to Suppress Evidence [Paper no. 13] is **GRANTED IN PART** and **DENIED IN PART**; and it is further

ORDERED, that Plaintiff's Motion for an Evidentiary Hearing Pursuant to Franks v. Delaware and to Suppress Evidence [Paper no. 13] is **DENIED** to the extent it seeks an evidentiary hearing pursuant to Franks v. Delaware; and it is further

ORDERED, that Plaintiff's Motion for an Evidentiary Hearing Pursuant to Franks v. Delaware and to Suppress Evidence [Paper no. 13] is **GRANTED** to the extent that it seeks the

suppression of evidence; and it is further

ORDERED, that all evidence seized by government agents on March 21, 2003, pursuant to three search warrants signed by Magistrate Judge Connelly on March 20, 2003, including but not limited to

1. Spreadsheet detailing options transactions on Bentley-Lawrence ("BL") Account;
2. Spreadsheet detailing stock transactions on BL Account, labeled "Corporate;"
3. Spreadsheet detailing options transactions on Speer Leeds account;
4. Spreadsheet detailing stock transactions;
5. Schedule of realized gains and losses;
6. Form 1099 activity detail for BL account;
7. Form 1099 activity detail for BL account;
8. Form 1099 activity detail for BL account;
9. Fax from CPA requesting information to prepare tax return;
10. Tax reporting statement to support capital gains;
11. Form 1099 activity detail supporting capital gains;
12. Handwritten bank interest and payments statement;
13. Tax reporting statement to support capital gains;
14. Form 1099 activity detail to support capital gains;
15. Fax to CPA detailing BL accounts;
16. Form 1099 activity detail supporting capital gains;
17. Tax reporting statement to support capital gains;
18. Form 1099 activity detail to support capital gains;
19. Tax reporting statement to support capital gains;
20. Fax from CPA requesting items to complete tax return;
21. Handwritten list of dividends and interest from bank accounts;
22. Tax reporting statement to support capital gains;
23. Tax reporting statement to support capital gains;
24. Spreadsheet for capital gains;
25. Email from stock broker detailing stock activity;

is hereby **SUPPRESSED**.

/s/
ROGER W. TITUS
UNITED STATES DISTRICT JUDGE